



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> May 19, 2006		<b>CONTACT/PHONE</b> Ryan Hostetter 788-2351	<b>APPLICANT</b> Mariano Rodriquez	<b>FILE NO.</b> DRC2005-00137
<b>LOCAL EFFECTIVE DATE</b> June 2, 2006				
<b>APPROX FINAL EFFECTIVE DATE</b> June 23, 2006				
<b>SUBJECT</b> Request by Mariano Rodriquez for a Minor Use Permit/Coastal Development Permit to allow a 1,650 square-foot garage/workshop and new driveway located approximately 25' to the south of the existing residence. The project will result in the disturbance of approximately 4,650 square feet of a 1.25-acre parcel. The proposed project is within the Residential Suburban land use category and is located at 838 Alejandro Way in the community of Callender Garrett. The site is in the South County (coastal) planning area.				
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit DRC2005-00137 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.				
<b>ENVIRONMENTAL DETERMINATION</b> A Class 3 Categorical Exemption was issued on April 17, 2006 (ED05-409).				
<b>LAND USE CATEGORY</b> Residential Suburban	<b>COMBINING DESIGNATION</b> Local Coastal Plan and Coastal Appealable Zone	<b>ASSESSOR PARCEL NUMBER</b> 091-193-017	<b>SUPERVISOR DISTRICT(S)</b> 4	
<b>PLANNING AREA STANDARDS:</b> Access to Highway 1 <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>				
<b>LAND USE ORDINANCE STANDARDS:</b> Setbacks, Heights, Garage/Workshop <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>				
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.  The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.				
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242				

EXISTING USES: Residential	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban/Residential <i>East:</i> Residential Suburban/Residential <i>South:</i> Residential Suburban/Residential <i>West:</i> Industrial/Industrial	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Nipomo CSD, Cal Trans, RWQCB, Coastal Commission, City of Arroyo Grande, and the Nipomo Community Advisory Council.	
TOPOGRAPHY: Mostly flat terrain	VEGETATION: Grasses, trees
PROPOSED SERVICES: Water supply: Rural Water Co (community system) Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: April 11, 2006

## DISCUSSION

### PLANNING AREA STANDARDS:

Access to Highway 1: Developments proposed adjacent to Highway 1 are to be designed to not have direct access to the highway, unless no alternative public road access is available. *The project is located on Alejandr,o which does not directly impact Highway 1.*

### LAND USE ORDINANCE STANDARDS:

Setbacks: The project complies with the setback requirements in the following table:

Setback	Required <b>23.04.100</b>	Proposed
Front	25'	25'
Rear	30' on parcels one acre or larger	30'
Side	30' on parcels one acre or larger	30'

Height: The required height limit is 35'. *The project complies with this standard at 14'.*

Garage/Workshop Requirements: Garages and workshops are residential accessory structures which are allowed in the Residential Suburban Land Use Category. Workshops have a maximum allowed square footage which is 40% of the square footage of the principal dwelling. Detached accessory garages are also allowed a maximum square footage of 1000 square feet per dwelling unit. The project complies with these standards with a maximum workshop/garage

of 1,650 square feet. (The existing home is 1,650 square feet, and 40% of that is 660 square feet for the workshop, plus 1,000 square feet for the garage).

**COASTAL PLAN POLICIES:**

***Coastal Watersheds:***

*Policy 7: Siting of new development: The proposed project is consistent with this policy because the proposed addition will be located on an existing lot of record in the Residential Suburban category on slopes less than 20%.*

*Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

***Hazards:***

*Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.*

*Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.*

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned

**COMMUNITY ADVISORY GROUP COMMENTS:** No comments received as of April 18, 2006 from the Nipomo Community Advisory Council

**AGENCY REVIEW:**

Public Works- "No Comment"

Building Division – Need architect of record, need architectural plans, code analysis, grading info.

City of Arroyo Grande – "No Comment"

Nipomo CSD – None received as of April 18, 2006

Cal Trans - None received as of April 18, 2006

Regional Water Quality Control Board - None received as of April 18, 2006

Ca. Coastal Commission - None received as of April 18, 2006

**LEGAL LOT STATUS:**

The existing lot was legally established as there have been multiple permits approved on the subject property for the existing dwelling unit, and secondary dwelling unit.

Staff report prepared by Ryan Hostetter and reviewed by Mike Wulkan.

## EXHIBIT A - FINDINGS

### EXHIBIT A - FINDINGS

#### *Environmental Determination*

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project includes the construction of an accessory structure (1,650 square feet) on a nearly level parcel and will not disturb any sensitive habitat areas.

#### *Coastal Access*

- B. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project will not inhibit access to the coastal waters and recreation areas. The project is not located near the beach and will not have any effect on coastal access.

#### *Minor Use Permit*

- C. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies
- D. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- E. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- F. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- G. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Alejandro, a local road constructed to a level able to handle any additional traffic associated with the project as conditioned

**EXHIBIT B - CONDITIONS OF APPROVAL DRC2005-00137**

**Approved Development**

1. This approval authorizes
  - a. a Minor Use Permit to allow a 1,650 square-foot garage/workshop and new driveway located approximately 25' to the south of the existing residence. The project will result in the disturbance of approximately 4,650 square feet of a 1.25-acre parcel. .
  - b. maximum height is 14' from average natural grade.

**Conditions required to be completed at the time of application for construction permits**

***Site Development***

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

***Fire Safety***

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project.

***Services***

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

**Conditions to be completed prior to issuance of a construction permit**

***Fees***

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

**Conditions to be completed during project construction**

***Building Height***

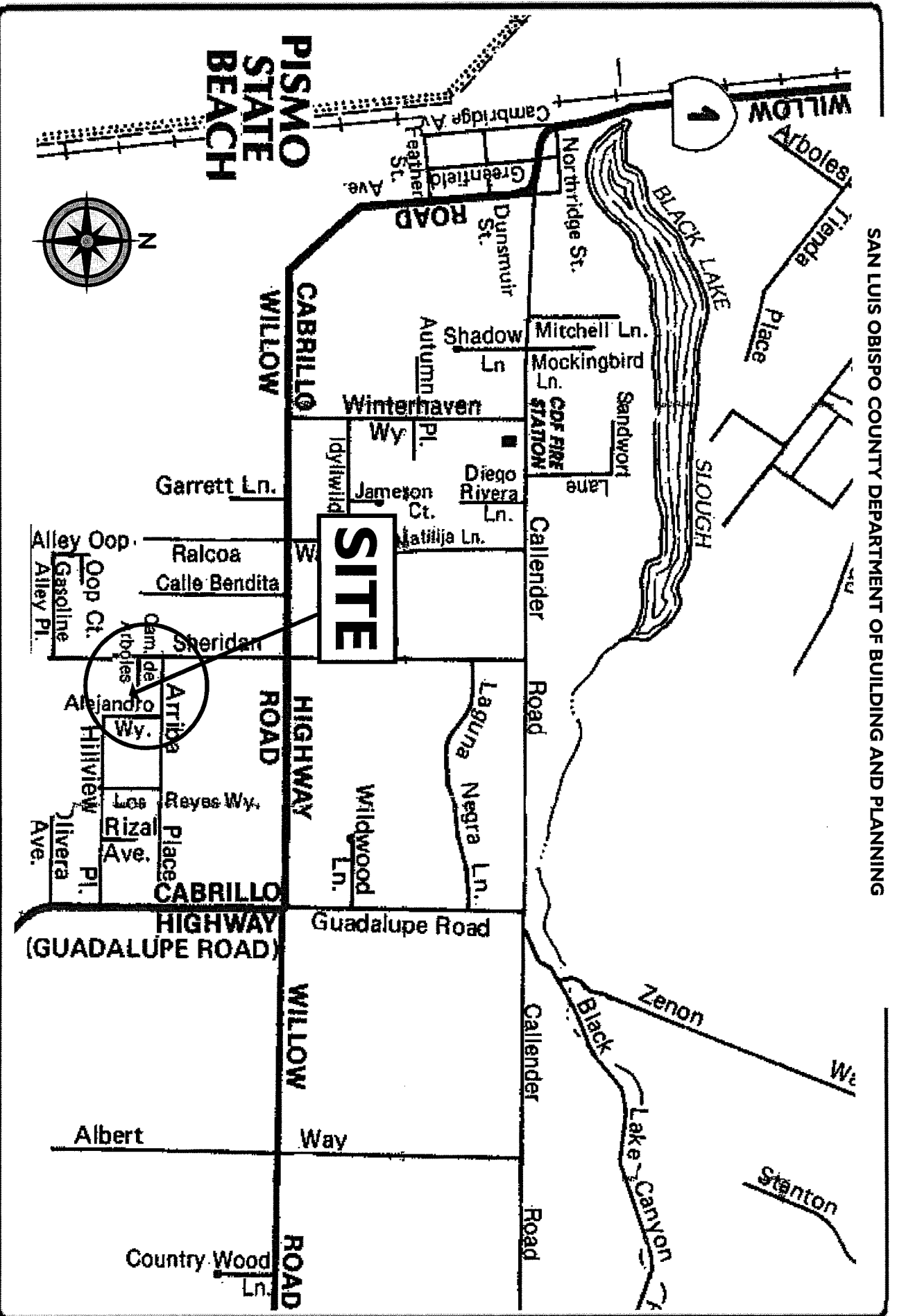
8. The maximum height of the project is 14' feet from average natural grade.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

9. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
10. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

**On-going conditions of approval (valid for the life of the project)**

11. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
12. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.



PROJECT

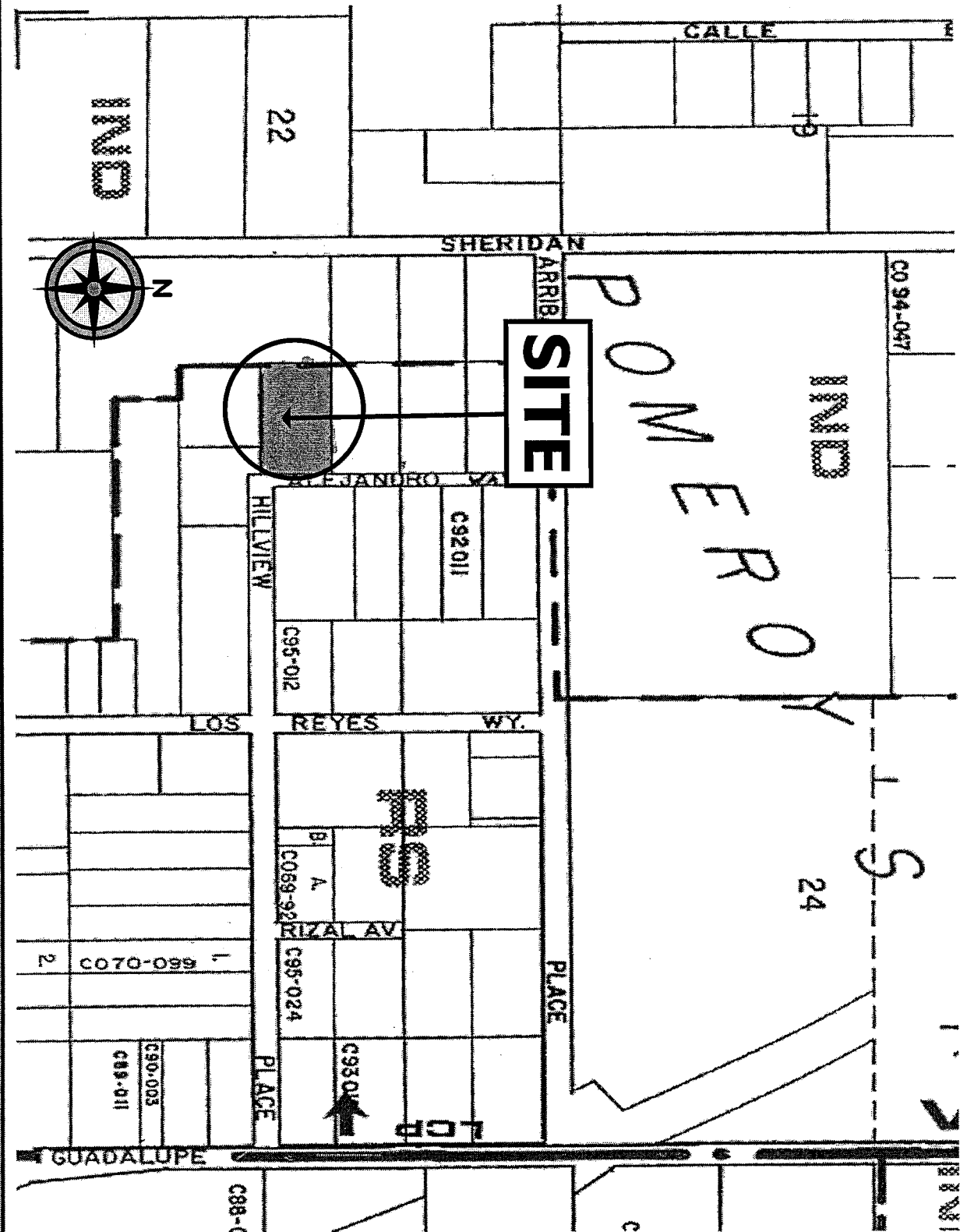
Minor Use Permit  
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EXHIBIT

Nipomo Vicinity

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Minor Use Permit  
DRC2005-00137



EXHIBIT

Land Use Category





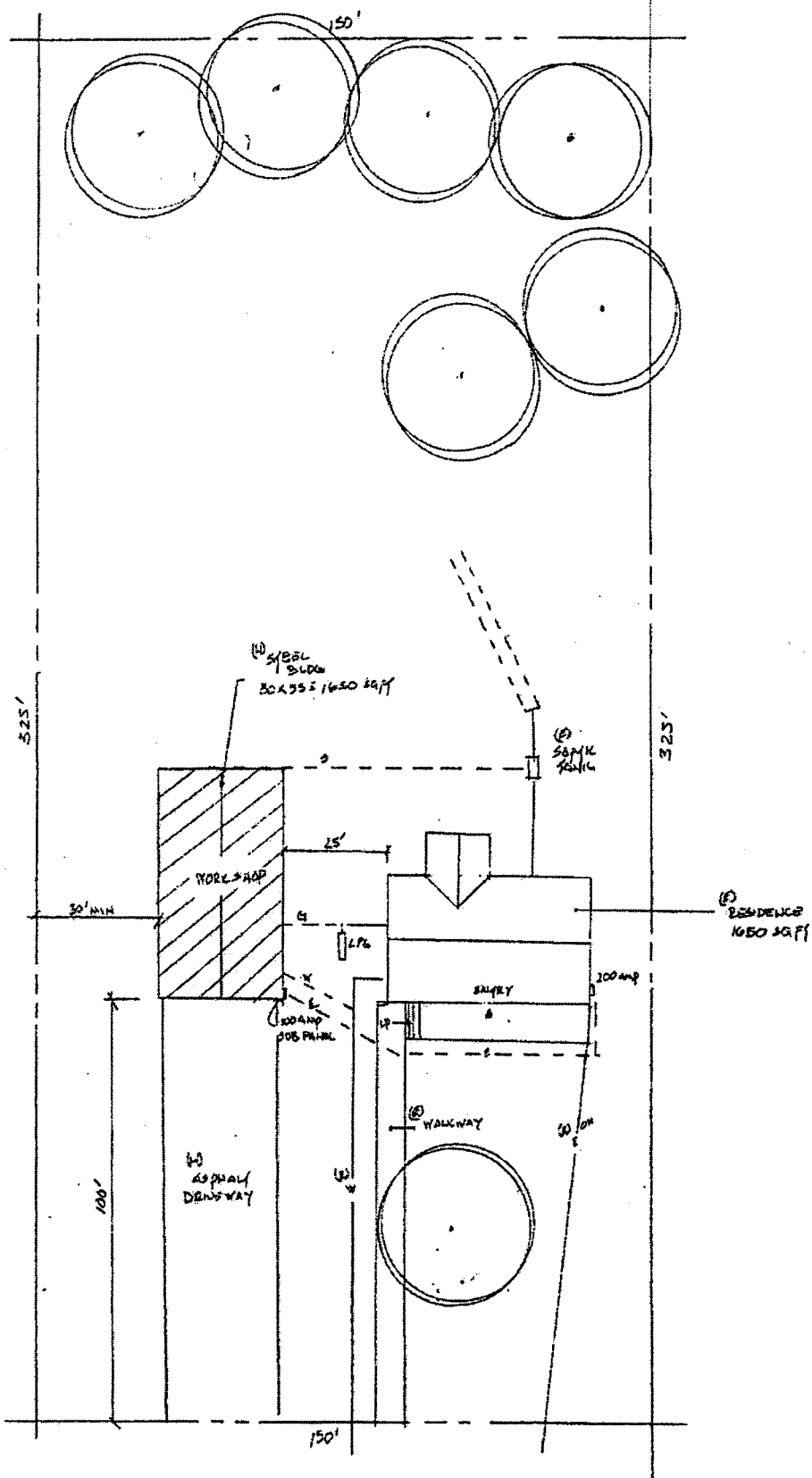
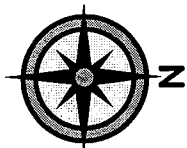
PROJECT

Minor Use Permit  
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EXHIBIT

Aerial Photo



ALEJANDRO YAY

PROJECT

Minor Use Permit  
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EXHIBIT

Site Plan

Structural drawing of a rectangular slab, oriented with North (N) at the top and Front (FRONT) on the left. The drawing shows the layout of reinforcement bars and their connections.

**Dimensions:**

- Overall Width (Left to Right):** 30'-0" OUT TO OUT OF STEEL.
- Overall Length (Front to Rear):** 65'-3" OUT TO OUT OF STEEL.
- Horizontal Spacing (Left to Right):** 10'-10 1/4", 8'-3 1/2", 10'-10 1/4".
- Vertical Spacing (Front to Rear):** 20'-0", 25'-0", 20'-0".
- Internal Vertical Spacing (Front to Rear):** 8'-6", 8'-0", 8'-6".
- Internal Horizontal Spacing (Left to Right):** 10'-0" (typical), 3'-0" (typical), 10'-0" (typical).

**Reinforcement Details:**

- Top Bars:** Labeled "LEFT" and "RIGHT".
- Bottom Bars:** Labeled "FRONT" and "REAR".
- Reinforcement Callouts:**
  - 1: TYP. (Typical)
  - 2: TYP. (Typical)
  - 3: TYP. (Typical)
- Notes:**
  - #4 HARPINS x 10' LEGS. THICKEN S.A.B. AROUND HARPINS TO ENSURE 3" OF CONCRETE COVERAGE ALL AROUND THE REBAR. TYP.

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## Foundation Plan

[illegible][illegible][illegible]

Elevation view of the front of a building. The structure features a gabled roof with a peak height of 10'-10 1/2" and a total width of 30'-0" (split into two 15'-0" sections). The roof is supported by a central vertical post labeled "CE" and two side posts labeled "NP". The roof pitch is indicated as 12" 14". The building has a "GRADED BASE ANGLE" at the bottom left. The roof is labeled "10'-10 1/2" WALL BRACING, NP". The roof pitch is also labeled "TOP ANGLE 12" 14". The roof is supported by a central vertical post labeled "CE" and two side posts labeled "NP". The roof is labeled "10'-10 1/2" WALL BRACING, NP". The roof pitch is indicated as 12" 14". The building has a "GRADED BASE ANGLE" at the bottom left. The roof is labeled "10'-10 1/2" WALL BRACING, NP". The roof pitch is indicated as 12" 14". The building has a "GRADED BASE ANGLE" at the bottom left.

## Elevations